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state to see that a living wage is paid, but extremely individualistic in claiming this right for every laborer and basing this right, not upon any consideration of the social good, but upon the personal dignity of the human being. No distinction is made between the efficient and the inefficient, the social and the anti-social. The implication, then, is that every laborer is to receive enough to support a family according to a certain standard of living and is under obligation to contract matrimony—a conclusion which many criminologists and sociologists will not accept. When the general trend of thought is toward social action to secure certain ends confessed by most people to be desirable, it is at least refreshing to read a book proposing to accomplish the same result with a real human being as the starting point and the end. The chief difference seems to be that Professor Ryan's plan would require a higher standard of righteousness even than collectivism.

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Train, Arthur. *The Prisoner at the Bar.* Pp. xiv, 349. Price, \$2. New York: Charles Scribner's Sons, 1906.

It is not too much to say that this volume is easily one of the most important books on penology of the last decade. The author is unusually well qualified through his experience as assistant district attorney in New York City under Mr. Jerome. He has been most active in the prosecution of criminal cases. He possesses, moreover, decided literary ability, and some of his shorter stories have been very favorably received. Mr. Train writes, therefore, in a very interesting style, and takes the opportunity to enliven the narrative by any number of stories drawn from his own experience.

What Mr. Train proposes to do in this book is, as suggested in the subtitle, to "Throw Side Lights on the Administration of Criminal Justice." This he has succeeded in doing. No one can read this book without realizing the extent to which juries and lawyers are human institutions, and therefore subject to all the influences which control other men. The advantages and difficulties of the jury, for instance, are very plainly set forth. One sympathizes with the difficulties involved in securing fair administration of justice, while at the same time he sees more clearly that certain very necessary changes must be made.

The table of contents shows very well what is contained in the volume. What is Crime? Who are the Real Criminals? The Arrest. The Police Court. The Trial of Misdemeanors. The Grand Jury. The Law's Delays. Red Tape. The Trial of Felonies. The Judge. The Jury. The Witness. The Verdict. The Sentence. Women in the Courts. Tricks of the Trade. What Fosters Crime?

One of the best attributes of the author is his sanity and fair mindedness. He believes that, with rare exceptions, the criminal is but an ordinary man and should be treated as such. He shows how, through our general disregard of law, thousands of those who are really criminals are not arrested

and do not come before courts for trial. This is largely due to the dishonesty which seems to permeate many phases of commercial activity. This same dishonesty is one of the chief factors in weakening the verdicts of the jury. The grand jury itself is a hold-over from the earlier condition, and is practically worse than useless. There is too much red tape about our trials, and much time might be saved if the work of the magistrates were more logically arranged. Nevertheless, we are getting just the sort of execution of criminal law that the people desire. Until we have a higher civic standard we must not expect much improvement. The tricks of lawyers are told in interesting fashion, and it is evident that the author disapproves of them in general, although many he evidently considers justified.

In general, there is much to commend and little to criticise in the author's viewpoint. He states that it is the business of the lawyer for the defendant to free his client. Perhaps it is so, but the ethics underlying this idea are more than doubtful. Nevertheless, he believes that very few men are punished who are not guilty, although it is evident that many who are guilty escape. Many of these miscarriages of justice merely stimulate crime. The author's discussion rarely goes beyond the court room, and we have no special expression of the value of the probation system. Mr. Train is to be most heartily congratulated for the general excellence of his book. It deserves wide circulation.

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